



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087, MC 204
Austin, Texas 78711-3087

April 1, 2022

**ADDENDUM NUMBER 1
TO
SOLICITATION NO. 582-22-31151
FOR
TEXAS EMISSIONS REDUCTION PLAN (TERP)
SEAPORT AND RAIL YARD AREAS EMISSIONS REDUCTION PROGRAM (SPRY)
LISTED BELOW ARE THE CHANGES/ADDITIONS TO THIS SOLICITATION.**

ISSUED BY: Dorothy Maxon, Contract Specialist

Date

ADDENDUM N° 1
**** Important Notice to Applicants ****
SOLICITATION NO.: 582-22-31151
FOR
SEAPORT AND RAIL YARD AREAS EMISSIONS REDUCTION PROGRAM (SPRY)

This Addendum serves to incorporate changes into the Solicitation Documents. Additional, non-substantive changes were made including grammatical and formatting changes, not listed below.

[SPRY Request for Grant Applications \(RFGA\)](#)

1. The following language has been added to the cover page in Spanish:

This document is the Request for Grant Applications for the Seaport and Rail Yard Areas Emissions Reduction Program. The information in this document will help you determine if you qualify for a grant. Please call us at 800-919-TERP (8377) for help interpreting this information.

Spanish translation:

Este documento es la Solicitud de Aplicaciones de Subsidios para el Programa de Reducción de Emisiones en Áreas de Patios Ferroviarios y Puertos Marítimos (SPRY por sus siglas en Inglés). La información en este documento le ayudará a determinar si califica para una subvención. Si desea ayuda sobre esta información comuníquese al 800-919-TERP (8377).

2. The term “designated” has been replaced with “eligible” in Section 2.1.

3. The list of designated Seaports and Rail Yards has been removed from Section 2.2.

4. Language defining an eligible seaport and eligible rail yard has been added to Section 2.2, to read as follows:

For this grant round, eligible applicants must operate in an eligible seaport or rail yard located in the state's **air quality nonattainment areas** to be considered for a grant. Refer to Appendix A for a map of the eligible counties.

- An eligible **seaport** is a publicly or privately owned property associated with the primary movement of cargo or materials from oceangoing vessels or barges to shore or vice-versa, including structures and property devoted to receiving, handling, holding, consolidating, and loading or delivery of waterborne shipments.
- An eligible seaport also includes publicly or privately owned property within a ship channel security district established under Texas Water Code, Chapter 68. Publicly or privately owned property **within Houston Ship Channel Security District (HSCSD)** is considered eligible for consideration of a grant under this solicitation. If an applicant is not able to determine whether a facility is part of the HSCSD or is otherwise not sure of the eligibility of a property, the applicant should contact TERP staff at (800) 919-TERP (8377) for help determining whether a particular facility is eligible.
- An eligible **rail yard** is a rail facility where cargo is routinely transferred from drayage truck to train or vice versa, including structures that are devoted to receiving, handling, holding, consolidating, and loading or delivery of rail-borne cargo.

[SPRY Project Application Form TCEQ-20556](#)

1. *The cover page has been updated to read as follows:*

- a. Applicants must commit to operating the grant funded equipment at an eligible seaport or rail yard for a minimum of 200 days per year for the duration of the five-year Activity Life. Refer to Section 2.2 of the RFGA for eligible seaports and rail yards.
- b. The following language has been added in Spanish:

This is a grant application for the Seaport and Rail Yard Areas Emissions Reduction Program. You must complete and submit this application to apply for a grant. Please call us at 800-919-TERP (8377) for help interpreting this application.

Spanish translation:

Esta es la aplicación de subvención para el Programa de Reducción de Emisiones en Áreas de Patios Ferroviarios y Puertos Marítimos (SPRY por sus sigla en Inglés). Debe llenar y enviar esta aplicación para solicitar una subvención. Para obtener ayuda con esta aplicación, comuníquese al 800-919-TERP (8377).

2. *Form 7 has been updated to read as follows:*

Applicants must have operated the old equipment in an eligible seaport or rail yard for a minimum of 200 days per year (12-month period) for the two years (24-month period) immediately preceding the application signature date. For each activity, list the number of days in the two years preceding the application signature date that the applicant has operated the equipment at an eligible seaport or rail yard. One day of operation may include one or more trips to and/or from an eligible seaport or rail yard. Refer to Section 2.2 of the RFGA for eligible seaports or rail yards.

[SPRY Application Instructions](#)

1. *The following language has been added to the cover page in Spanish:*

These are instructions for completing and submitting a Seaport and Rail Yard Areas Emissions Reduction Program application. Please call us at 800-919-TERP (8377) for help interpreting these instructions.

Spanish translation:

Estas son las instrucciones para completar y enviar una aplicación de subvención para el Programa de Reducción de Emisiones de Puertos Marítimos y Patios Ferroviarios (SPRY por sus sigla en Inglés). Para obtener ayuda con la interpretación de estas instrucciones, comuníquese al 800-919-TERP (8377).

2. ***Form 1 Section 2 - the description of Out-of-State Corporation now reads:*** A profit or non-profit Corporation chartered by a governmental entity outside the state of Texas, with the right to transact business in the state of Texas. The applicant must have an 11-digit Texas Taxpayer Number active with the Texas Comptroller's Office and a Texas SOS File Number. The applicant must provide an FEIN.
3. ***The instructions for completing "FORM 7 - ANNUAL DAYS OF OPERATION AT ELIGIBLE SEAPORTS, FACILITIES, AND RAIL YARDS" (Page 7) has been updated to***

read as follows:

Complete the required information on Form 7 for each activity.

Applicants must have operated the old equipment at an eligible seaport or rail yard a minimum of 200 days per year (12-month period) for the preceding two years (24-month period) immediately preceding the application signature date.

Total Days of Operation: For each activity, list the number of days in the two years preceding the application signature date that the applicant has operated the equipment at an eligible seaport or rail yard.

One day of operation may include one or more trips to and/or from an eligible seaport or rail yard. Refer to Section 2.2 of the RFGA for eligible seaports and rail yards.

Seaports and Rail Yards Visited: For each activity, list the name of the seaport terminals or rail yards visited during the two years immediately preceding the application signature date.

Contact TERP staff at (800) 919-TERP (8377) for help determining whether a particular seaport or rail yard is eligible.

Terminals or Rail Yard Address: For each activity, list the address of the seaport terminal or rail yard.

SPRY Contract Shell

1. The following language has been added to the contract signature page in Spanish:

This is the grant agreement between you and the Texas Commission on Environmental Quality. You are agreeing to the terms and conditions of the agreement by signing this document. Please call us at 800-919-TERP (8377) for help interpreting the grant agreement.

Spanish translation:

Este es el contrato de subvención entre usted y la Comisión de Calidad Ambiental de Texas (TCEQ por sus siglas en inglés). Al firmar este documento, usted está aceptando los términos y condiciones legalmente vinculantes. Comuníquese al 800-919-TERP (8377) para obtener ayuda con la interpretación de este contrato.

2. Article 12.2 is updated to read as follows:

The PERFORMING PARTY agrees to operate the Grant Equipment over the Activity Life no less than the percentage of Annual Usage in the Eligible Counties as specified in the Scope of Work. Along with the Annual Usage, the PERFORMING PARTY agrees to operate the Grant Equipment at an eligible seaport or rail yard for a minimum of 200 days per year (12-month period) for the duration of the Activity Life.